

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

CV 14

5960

VERONICA BROWN,

Docket No.:

Plaintiff,
-against-

**NOTICE OF
REMOVAL**

ST. KITTS MARRIOTT RESORT AND THE
ROYAL BEACH CASINO and MARRIOTT
INTERNATIONAL, INC.,

Defendants.

X

**TO THE HONORABLE JUDGES OF THE UNITED STATES
DISTRICT COURT FOR THE EASTERN DISTRICT OF NEW YORK**

The Petitioner, MARRIOTT INTERNATIONAL, INC., defendant in the above-entitled action, by its attorneys, WHITE, FLEISCHNER & FINO, LLP, respectfully petitions this Court:

1. The petitioner is a named defendant in this matter.
2. This action was commenced by the filing of a Summons and Verified Complaint in the Supreme Court of the State of New York, Kings County, on or about March 31, 2014. Attached here as Exhibit "A" is a copy of this pleading.
3. Petitioner served an Answer to Plaintiff's Complaint on May 27, 2014. Attached here as Exhibit "B" is a copy of petitioner's Answer.
4. Together with its Answer, petitioner also served plaintiff with a Demand for Discovery, including a Demand for Relief, and a Demand for a Verified Bill of Particulars. Copies of these demands are attached here as Exhibit "C".
5. On or about September 24, 2014, plaintiff served defendant with a Verified

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Bill of Particulars, which included a claim for lost earnings in the amount of \$500,000. A copy of plaintiff's Bill of Particulars and the mailing envelope are attached as **Exhibit "D"**.

6. Plaintiff in this matter claims to have sustained personal injuries on July 18, 2013, while she was a guest in the hotel commonly known as "St. Kitts Marriott Resort and Royal Beach Casino" located in St. Kitts, in the British West Indies.

7. This Court has original jurisdiction of this civil action pursuant to 28 USC Section 1332 because there is complete diversity in the matter and the amount in controversy exceeds the sum of \$75,000 exclusive of interest and costs. Petitioner MARRIOTT INTERNATIONAL, INC., is a Delaware Corporation with a principal place of business in Maryland.

8. Named defendant "ST. KITTS MARRIOTT RESORT AND THE ROYAL BEACH CASINO" is not an actual entity, upon information and belief. There is no indication that plaintiff ever obtained jurisdiction over that entity, nor did plaintiff file Affidavit(s) of Service with regard to that entity.

9. Plaintiff VERONICA BROWN is a resident of Brooklyn, New York.

WHEREFORE, petitioner prays that the instant action now pending before the Supreme Court of the State of New York, County of Kings, be removed therefrom to the United States District Court for the Eastern District of New York, and for such other and

further relief as this Court deems just and proper.

Dated: New York, New York
October 9, 2014

WHITE FLEISCHNER & FINO, LLP

By:


Daniel M. Stewart (DS 7989)

Attorneys for Defendant
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